

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION

CASIE JO MCGEE and SARAH ELIZABETH ADKINS; JUSTIN MURDOCK and WILLIAM GLAVARIS; and NANCY ELIZABETH MICHAEL and JANE LOUISE FENTON, individually and as next friends of A.S.M., a minor child;

No. 3:13-cv-24068

Plaintiffs,

v.

KAREN S. COLE, in her official capacity as CABELL COUNTY CLERK; and VERA J. MCCORMICK, in her official capacity as KANAWHA COUNTY CLERK;

Defendants,

and

STATE of WEST VIRGINIA, *ex rel.*
PATRICK MORRISSEY, ATTORNEY
GENERAL,

Intervenor.

DECLARATION OF SARAH ELIZABETH ADKINS

I, Sarah Elizabeth Adkins, hereby declare as follows:

1. The testimony set forth in this Declaration is based on first-hand knowledge, about which I could and would testify competently in open Court if called upon to do so.
2. I live in Huntington, West Virginia, with Casie Jo McGee (“Casie”), with whom I have been in a committed relationship for more than three years. We wish to marry each other.

3. I am 33 years old, and am a student of anthropology at Marshall University in Huntington, WV. I have lived in the Huntington area nearly all of my life. I was born here. In fact, my family has looked into genealogical records from my paternal grandmother's family. To the best of my understanding, in 1723, an ancestor of my grandmother settled in West Virginia from Scotland. That man, with the last name Adkins married a woman whose family had been in West Virginia and she was an Adkins as well.

4. Casie is also a born and raised West Virginian. This was one of the many things that we learned we had in common when we would spend hours and hours talking to each other over the phone after we first met. In fact, we were so excited about each other that we somehow found the time to read each other's favorite books as a way of getting to know each other better.

5. I love Casie. She is the person I want to spend the rest of my life with. I had been in a few relationships before, but they didn't last long or were never really good. With Casie, I feel like I have found someone who shares my interests, and who values and respects me. It was Casie who encouraged me to go back to college. Casie helped me to understand my value. With her by my side, I finally felt like I had a support network and I quit the dead end job I had at that time, and enrolled in the anthropology program at Marshall with a focus on archaeology. Without her love and support I couldn't have ever done it. She knew I could do it and was rooting me on when no one else was. I am now in my senior year of the program and will be graduating next year. I plan to go on to graduate school for a master's in geography and archaeological map-making.

6. A couple of years ago, Casie and I went on vacation with a group of friends. Upon returning home, one of these friends got really sick and had to be rushed to the hospital. Casie also got sick with the same symptoms as the friend who was hospitalized. I was really scared and

needed to stay with her in case her condition worsened and I needed to rush her to the hospital. I called and informed my employer that I would not be coming in, and got a friend to cover my shift. Later that day, my supervisor called me and asked where I was. I explained that Casie was really sick and that I needed to be with her. He felt it was an inappropriate reason to call off of work. When I expressed to him that Casie was really important to me and was my family, he responded, "It's not like Casie is your wife or something." He wrote me up for an inappropriate call off. Aside from how unfair it was to write me up at a time when my partner was really sick, this experience was also hurtful. It reminded me that my relationship with Casie is considered inferior and not as good as others, because we are both women and unable to marry.

7. I am constantly reminded that my relationship is not seen as equal to others. My best friend has recently met someone and got engaged really quickly. They haven't known each other for very long and they will be able to marry. I really wish that Casie and I could do that, but we can't, even though we have been together for a longer period of time and have intertwined our lives together.

8. Our respective families are very supportive of us. My family is very large and lives nearby. We spend a lot of time with them and they have all embraced Casie. Indeed, whenever they see me, they expect to see her as well. If for some reason she isn't with me, they ask, "Where's Casie?"

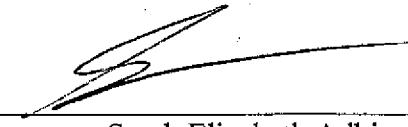
9. Casie and I really want to start a family. My cousin recently had a baby and we went to visit her at the hospital. It was really sweet to see Casie hold the baby. The baby had been really fussy, but the moment Casie held him, he stopped crying. Babies just seem to love her; she's really good with them. We often talk about all of the things we would want to teach a child together.

10. Casie and I would like to buy a home together. We would like a home where our dog could run around and where we could raise children. I guess you can say that we want the typical American dream. For us, marriage is part of that dream.

11. But for the fact that Casie and I are of the same sex, we are legally qualified to marry under the laws of West Virginia. We are not related to each other, and neither of us has a spouse. On or about September 18, 2013, Casie and I appeared in person at the office of Defendant Cole in Huntington, West Virginia, to seek a marriage license because we wish to marry each other. We both presented valid forms of identification, provided the required personal information, and were prepared to pay the required fee and complete a marriage application. When we requested a marriage license, an employee of Defendant Cole answered, "We can't do it because you're both female."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and ability.

Executed this 26 day of December, 2013



Sarah Elizabeth Adkins